

# **Exhibit A**

**From:** "Nemelka, Michael N." <mnemelka@kellogghansen.com>  
**Date:** November 17, 2023 at 11:56:24 AM MST  
**To:** "jonke, kevin" <kevin.jonke@kirkland.com>  
**Cc:** John Hughes <JHughes@milberg.com>, "katz, katherine" <katherine.katz@kirkland.com>, "Long, Emily" <emily.long@kirkland.com>, "Provance, Matthew D." <MProvance@mayerbrown.com>, "Stride, Megan E." <MStride@mayerbrown.com>, BMiller@mayerbrown.com, Peggy Wedgworth <pwedgworth@milberg.com>, "Dorris, Daniel V." <ddorris@kellogghansen.com>, "DMSTEAM (MILBERG.COM)" <dmsteam@milberg.com>  
**Subject:** Re: [EXTERNAL] RE: In re DMS: Proposed page extension re Dealership Plaintiffs' Class Certification Briefing

Kevin:

The Vendor Class and Dealer Class will be filing separate motions. The Vendor Class does not agree that CDK may file a consolidated brief. We also do not consent to the requested extension, which is not consistent with the schedule the parties previously negotiated.

Thanks,  
Mike

On Nov 17, 2023, at 7:58 AM, Jonke, Kevin M. <kevin.jonke@kirkland.com> wrote:

John,

Based on the parties' stipulation that CDK may submit "Opposition Class Certification Brief(s)," and for the sake of efficiency, CDK reserves the right to file an omnibus brief opposing certification of both classes. Thus, while we do not object in principle to the Dealers' request to enlarge the page limits, your proposal has implications for both plaintiff groups. We can agree to your proposal if Dealers and Vendors agree to the following modifications:

- CDK may submit an omnibus response brief equal in length to the combined total pages of both opening briefs. We have no objection if Vendors, like Dealers, would like 25 pages instead of 15, but that would mean CDK should get 50 pages in opposition.
- The deadline for CDK's opposition brief is extended by two weeks (to January 19), given that

you proposed, three court days before the current deadline, that we respond to substantially longer briefing over the holidays.

Best,

Kevin

**Kevin Jonke**

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**KIRKLAND & ELLIS LLP**

300 North LaSalle, Chicago, IL 60654

**T** +1 312 862 4390 **M** +1 312 361 7859

**F** +1 312 862 2200

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[kevin.jonke@kirkland.com](mailto:kevin.jonke@kirkland.com)

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**From:** John Hughes <JHughes@milberg.com>

**Sent:** Thursday, November 16, 2023 12:38 PM

**To:** Jonke, Kevin M. <kevin.jonke@kirkland.com>

**Cc:** Katz, Katherine R. <katherine.katz@kirkland.com>; Long, Emily Merki <emily.long@kirkland.com>; Provance, Matthew D. <MProvance@mayerbrown.com>; Stride, Megan E. <MStride@mayerbrown.com>; \*BMiller@mayerbrown.com <BMiller@mayerbrown.com>; Peggy Wedgworth <PWedgworth@milberg.com>; Nemelka, Michael N. <mnemelka@kellogghansen.com>; Dorris, Daniel V. <ddorris@kellogghansen.com>; DMSTeam <DMSTeam@milberg.com>

**Subject:** In re DMS: Proposed page extension re Dealership Plaintiffs' Class Certification Briefing  
Kevin,

As you know, pursuant to Local Rule 7.1, the parties' briefs for and in opposition to class certification are limited to 15 pages. Dealership Plaintiffs propose seeking leave from the Court to extend the page limits for the briefing in their case as follows:

- 25 pages for Dealership Plaintiffs' opening brief
- 25 pages for CDK's response brief
- 15 pages for Dealership Plaintiffs reply brief

Please let us know by tomorrow at the latest whether CDK is in agreement so that we can notify the Court.

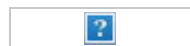
Best,

John

**John D. Hughes**

Attorney at Law\*

Senior Counsel



Main: 212.594.5300

Cell: 248.990.2588

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